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EXAMINER
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JAGANNATHAN, MELANIE

ART UNIT	PAPER NUMBER
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2468

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06/22/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/099,983	<b>Applicant(s)</b> CHU ET AL.	
	<b>Examiner</b> MELANIE JAGANNATHAN	<b>Art Unit</b> 2468	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-19 and 23-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-19, 23-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

- Examiner has considered Amendment after Non-Final mailed 2/24/2010.
- Claims 1-4, 7-19, 23-32 are pending.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4, 7-19, 23-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The amended limitations of “setting up a connection between said VCS and said first VoIP station” and “receiving an identification.....after said connection between said VCS and said first VoIP station is set up” is not clearly explained in the specification so as one of ordinary skill in the art would be able to discern the order of events/steps as disclosed in claims 1 and 16. The instant specification discusses receiving a join signal/indication from the first VoIP station and the VCS setting up a RTP voice path consequently. Additionally, there is disclosure of the first VoIP station inputting a code to indicate which conversation/conference it wishes to join such as N to identify the Nth conversation to join and the cycling through of connections to find the desired one. However, there is no disclosure that there is a setting up of a connection after receiving an indication for joining and before receiving an identification of a conversation the first VoIP station wishes to join as claimed. Examiner's thorough perusal of the disclosure did not yield a

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certain order to the claimed steps as presented in claims 1 and 16. Examiner will examine the claims using her best interpretation due to the above issue.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-4, 7-11, 16-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers et al. US 6,961,416 (hereinafter Summers) in view of Rodman et al. US 20020103864 in further view of Aravamudan et al. US 6,584,076.

Regarding claims 1, 16, the claimed method/device for establishing a VOIP conference call by joining a first VOIP station in a communication between a plurality of communication stations, wherein at least one of the plurality of communication stations is a second VOIP station in a private network and first VOIP station is in the private network is disclosed by Internet-enabled system providing audio, video or data conferencing for IP callers (Figure 1, elements 16b) within one or more IP networks (element 14). See column 3, lines 34-61. Summers discloses IP caller joining caller to a scheduled conference (Figure 7).

Summers does not disclose a voice conference server. Rodman et al. disclose a voice conference server (Figure 1, element 150). At the time the invention was made it would have been obvious to modify Summers with a voice conference server, the motivation being a centralized control device to implement the conference session between users.

Summers discloses a personal entrance code for a caller to join a conference but does not disclose the claimed receiving an indication at a Voice Conference Server (VCS) from the first station in the private network for joining a call of one of a plurality of existing conversations on said VCS between the plurality of communication stations, wherein said plurality of existing conversations comprises calls and each one of said plurality of existing conversations is on a different connection; setting up connection to VCS, receiving an indication of said one of said plurality of existing conversations on said VCS, via a code number identifying an existing conversation entered by said first station corresponding to the second station, wherein said one of said plurality of existing

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conversations is between the second station in the private network and a phone in a public network, wherein said VCS is external to said first station and said plurality of communication stations.

Rodman et al. discloses a data conference between or among a plurality of participating conference devices, referred to herein as conference endpoints. The local conference endpoint 105 and a plurality of remote conference endpoints (collectively denoted as 110) coupled to a computer network 120. The network 120 may be a private network such as a corporate LAN, a public network such as the Internet, or a plurality of interconnected networks. The local conference endpoint 105 and remote conference endpoints 110 are each provided with an appropriate network interface such as an Ethernet card or high-speed modem, enabling them to transmit and receive information over the network 120.

The conference endpoints are linked to each other and to a dedicated conference server by a private network or a public network such as the Internet. Each of the conference endpoints includes a Public Switched Telephone Network (PSTN) or similar interface to enable voice communication between and among the several conference endpoints. See paragraph 0011. Rodman et al. further discloses the conference endpoints send a conference join request including a conference code to the conference server, paragraph 0045, and responsive to receipt of a conference join request in step 624, the conference server 150 compares the conference code 310 included in the join request to a list of conference codes in conference participant data 510 (FIG. 5) corresponding to ongoing (initiated) data conferences in step 626. If the

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transmitted code 310 matches an ongoing conference code, the conference server 150 enters participant identifying information associated with a conference join requester, into the conference participant data.

At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify Summers' conferencing with the conference server and conference request including a conference code of Rodman et al. One of ordinary skill in the art would be motivated to do this for an improved system and method for initiating and managing a data conference between or among a plurality of conference endpoints and for a method for securing data conferences which does not require each participant to enter a security code at their corresponding conference endpoint by voice which is not secure. See paragraph 0010.

The claimed managing data packet transmission between first VOIP station and one of the plurality of communication stations is disclosed by network interface chassis (Figure 3, element 28) including voice nodes and VoIP node including voice traffic cards (element 68) and VoIP cards (element 70) and conference bridge node (element 64) for traffic from IP users and PSTN users participating in conference. See column 3, lines 34-61, column 6, lines 1-46, column 8, lines 36-52.

Summers and Rodman do not disclose the claimed establishing an RTP voice path with the first VOIP station for joining a VOIP call between the plurality of communication stations. Aravamudan et al. discloses devices which can be IP telephones (Figure 1, element 103) interfaced to device servers (element 101) and discloses a conference call on which there are three or more device servers. When a

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user on device server requests to be added to conference call, call coordinator (element 105) selects a conference bridge to connect device server to other device servers so newly added device server can transmit media in the form of RTP/UDP packets over logical links (element 119) where RTP/UDP protocol is used. See column 4, lines 30-36, column 6, lines 25-34, column 7, lines 25-29, lines 43-55. At the time the invention was made it would have been obvious to modify Summers and Rodman to connect user to conference over logical links using RTP/UDP protocol as in Aravamudan et al. One of ordinary skill in the art would be motivated to do this for transmission of media packets among the different devices.

Regarding claim 4, the claimed receiving an indication, being a switch signal, from the first VOIP station for joining a VOIP call between the plurality of communication stations is disclosed by IP user (element 16b) enters its IP address and connects to corresponding VoIP node in network interface chassis.

Regarding claim 2, the claimed at least one of the plurality of communication stations is a PSTN phone is disclosed by PSTN callers (Figure 1, elements 16a) participating in conference. See column 3, lines 34-61, column 6, lines 1-46, column 7, lines 12-17, column 8, lines 36-52.

Regarding claim 3, the claimed at least one of the plurality of communication stations is a VOIP phone is disclosed by IP callers (Figure 1, elements 16b).

Regarding claim 22, the claimed indication to join a VOIP call between a plurality of communication stations comprising a code number identifying a connection in private



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network is disclosed by caller may need to provide a personal entrance code and then caller is joined in conference. See column 11, lines 26-40, lines 62-67.

Regarding claims 7, 23, the claimed further comprising informing the plurality of communication stations the status of the first VOIP is disclosed by in process of joining conference, caller further provides an associated caller identifier to allow the name or any other information for itself to be conveyed to one or more other callers that are already joined or will later join the conference. See column 11, lines 52-56.

Regarding claims 8, 10, the claimed managing data packet transmissions comprises mixing data packets from first VOIP station and at least one of the plurality of communication stations is disclosed by voice signals received at voice cards of IP callers and PSTN callers are placed onto TDM bus in corresponding timeslot. See column 11, lines 66-67, column 12, lines 1-13.

Regarding claims 9, 11, the claimed managing data packet transmissions further comprises sending the mixed data packets to at least one of the plurality of communication stations including first VOIP station is disclosed by TDM bus is communicated to conference card and conference traffic from all or selected other callers are placed on TDM bus for communication to voice and VoIP cards and then to callers. See column 12, lines 1-13.

Regarding claim 17, the claimed status monitor for informing a VOIP call agent of the status of the first VOIP station is disclosed by in process of joining conference, caller further provides an associated caller identifier to allow the name or any other

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information for itself to be conveyed to one or more other callers that are already joined or will later join the conference. See column 11, lines 52-56.

Regarding claim 18, the claimed at least one of the plurality of communication stations is a PSTN phone is disclosed by PSTN callers (Figure 1, elements 16a) participating in conference. See column 3, lines 34-61, column 6, lines 1-46, column 7, lines 12-17, column 8, lines 36-52.

Regarding claim 19, the claimed at least one of the plurality of communication stations is a VOIP phone is disclosed by IP callers (Figure 1, elements 16b).

Regarding claims 24, 26, the claimed managing data packet transmissions comprises mixing data packets from first VOIP station and at least one of the plurality of communication stations is disclosed by network interface chassis (Figure 3, element 28) including voice nodes and VoIP node including voice traffic cards (element 68) and VoIP cards (element 70) and conference bridge node (element 64) for traffic from IP users and PSTN users participating in conference. See column 3, lines 34-61, column 6, lines 1-46, column 8, lines 36-52.

Summers discloses voice signals received at voice cards of IP callers and PSTN callers are placed onto TDM bus in corresponding timeslot. TDM bus is communicated to conference card and conference traffic from all or selected other callers are placed on TDM bus for communication to voice and VoIP cards and then to callers. See column 11, lines 66-67, column 12, lines 1-13.

Regarding claims 25, 27, the claimed managing data packet transmissions further comprises sending the mixed data packets to at least one of the plurality of

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communication stations including first VOIP station is disclosed by network interface chassis (Figure 3, element 28) including voice nodes and VoIP node including voice traffic cards (element 68) and VoIP cards (element 70) and conference bridge node (element 64) for traffic from IP users and PSTN users participating in conference. See column 3, lines 34-61, column 6, lines 1-46, column 8, lines 36-52.

Summers discloses voice signals received at voice cards of IP callers and PSTN callers are placed onto TDM bus in corresponding timeslot. TDM bus is communicated to conference card and conference traffic from all or selected other callers are placed on TDM bus for communication to voice and VoIP cards and then to callers. See column 11, lines 66-67, column 12, lines 1-13.

3. Claims 12-15, 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers, Rodman et al. and Aravamudan in view of Cannon et al. US 6,269,159.

Regarding claims 12, 28, Summers discloses the claimed VoIP station by IP callers (Figure 1, element 16b). Summers, Rodman et al. and Aravamudan et al. combined disclose all of the limitations of the claim except for the claimed indicating a busy status on the claimed VoIP station. Cannon et al. discloses a three-way conferencing method and system where a calling party will not be allowed to conference into existing telephone call and party is provided with a busy signal. See column 6, lines 54-58. At the time the invention was made it would have been obvious to modify system of Summers with IP caller by providing a busy signal as in Cannon et al. One of

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ordinary skill in the art would be motivated to do this to indicate to status of parties in call.

Regarding claims 13-15, 29-31, Summers discloses the claimed VoIP station by IP callers (Figure 1, element 16b). Summers, Rodman et al. and Aravamudan et al. combined disclose all of the limitations of the claim except for the claimed receiving an on-hook signal from first VOIP station and from at least one of the plurality of communication stations and call is disconnected. Cannon et al. discloses receiving an indication from a third party wishing to join a call between two existing parties, the indication being call-related information. See column 3, lines 1-20. Additionally, Cannon et al. discloses a three-way conferencing method and system where a calling party will not be allowed to conference into existing telephone call and party is provided with a busy signal as in other party is on-hook. See column 6, lines 54-58. At the time the invention was made it would have been obvious to modify Summers to include the initiation of on-hook signal or busy signal as in Cannon. One of ordinary skill in the art would be motivated to do so to indicate status of parties in call.

### ***Response to Arguments***

4. Applicant's arguments filed 2/24/2010 have been fully considered but are moot in view of the new grounds of rejection. Examiner appreciates the detailed descriptions of prior art Summers, Rodman and Aravamudan.

It seems Applicant's arguments, emphasis added with underlining and bold, are directed to how the above prior art is deficient in teaching the limitations in combination

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with the newly amended limitations and thus Examiner refers Applicant to the above 112 rejection with regards to the amended claimed subject matter.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELANIE JAGANNATHAN whose telephone number is (571)272-3163. The examiner can normally be reached on Monday-Friday from 8:00 a.m.-5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jefferey Harold can be reached on 571-272-7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Melanie Jagannathan/  
Primary Examiner, Art Unit 2468